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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,381	12/12/2001	Michael Wayne Brown	AUS920010818US1	2846

7590

10/08/2003

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EXAMINER

ELAHEE, MD S

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/015,381

Applicant(s)

BROWN ET AL.

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-41 is/are pending in the application.
- 4a) Of the above claim(s) 1-30 and 42-47 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 31-41 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 02.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed on 07/16/03. Claims 31-41 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 31-41 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 31-33, 35-37, 39 and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by McAllister et al. (U.S. Patent No. 6,442,242).

Regarding claim 31, McAllister teaches receiving, at the voice processor 20, a spoken name for a call request from a caller telephone station (fig.1; col.5, lines 48-67, col.6, lines 1-3, 24-43; 'voice processor 20' reads on the claim 'an intermediary device', 'spoken name' reads on the claim 'authenticated caller identity' and 'caller telephone station' reads on the claim 'origin device').

McAllister further teaches retrieving the subscriber-specific information for the caller name (fig.1, fig.2, fig.4; col.5, lines 48-67, col.6, lines 1-3, 24-43, col.7, lines 18-32, 55-67,

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col.8, lines 1-10; 'subscriber-specific information' reads on the claim 'caller profile' and 'caller name' reads on the claim 'authenticated caller identity').

McAllister further teaches specifying the various services available to the subscriber on outgoing call according to the subscriber-specific information (fig.1, fig.2, fig.4; col.5, lines 48-67, col.6, lines 1-3, 24-43, col.7, lines 18-32, 55-67, col.8, lines 1-10; 'various services available to the subscriber on outgoing call' reads on the claim 'a selection of services from among a plurality of services that are offered for said call request' and 'subscriber-specific information' reads on the claim 'caller profile').

Regarding claims 32 and 36, McAllister teaches that a caller name is identified by speech of the caller (fig.1, fig.2, fig.4; col.6, lines 24-43, col.7, lines 18-32, 55-67, col.8, lines 1-10; 'caller name' reads on the claim 'authenticated caller identity' and 'identified by speech of the caller' reads on the claim 'authenticated by a voice utterance of said caller').

Regarding claims 33, 37 and 40, McAllister teaches retrieving the subscriber-specific information from a database within the voice processor 20 (col.6, lines 24-43, col.7, lines 18-32, 55-67, col.8, lines 1-10; 'subscriber-specific information from a database' reads on the claim 'caller profile from a profile database' and 'voice processor 20' reads on the claim 'intermediary device').

Regarding claim 35, McAllister teaches the voice processor 20 communicatively connected to a telephone network (fig.1; col.4, lines 58-65, col.5, lines 39-43, 48-67, col.6, lines 1-3, 24-43; 'the voice processor 20' reads on the claim 'an intermediary device' and 'public switched telephone network' reads on the claim 'telephone network').

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McAllister further teaches receiving, at the voice processor 20, a caller name for a call request from a caller telephone station (fig.1, fig.2, fig.4; col.5, lines 48-67, col.6, lines 1-3, 24-43, col.7, lines 18-32, 55-67, col.8, lines 1-10; 'voice processor 20' reads on the claim 'intermediary device', 'caller name' reads on the claim 'authenticated caller identity' and 'caller telephone station' reads on the claim 'origin device').

McAllister further teaches retrieving the subscriber-specific information for the caller name (col.6, lines 24-43, col.7, lines 18-32, 55-67, col.8, lines 1-10; 'subscriber-specific information' reads on the claim 'a caller profile' and 'caller name' reads on the claim 'authenticated caller identity').

McAllister further teaches specifying the various services available to the subscriber on outgoing call according to the subscriber-specific information (col.6, lines 24-43, col.7, lines 18-32, 55-67, col.8, lines 1-10; 'subscriber-specific information' reads on the claim 'caller profile' and 'various services available to the subscriber on outgoing call' reads on the claim 'a selection of services from among a plurality of services that are offered for said call request').

Regarding claim 39, McAllister teaches a database (col.6, lines 24-43; 'database' reads on the claim 'recording medium').

McAllister further teaches receiving a caller name for a call request from a caller telephone station (fig.1, fig.2, fig.4; col.5, lines 48-67, col.6, lines 1-3, 24-43, col.7, lines 18-32, 55-67, col.8, lines 1-10; 'caller name' reads on the claim 'authenticated caller identity' and 'caller telephone station' reads on the claim 'origin device').

McAllister further teaches retrieving the subscriber-specific information for the caller name (col.6, lines 24-43, col.7, lines 18-32, 55-67, col.8, lines 1-10; 'subscriber-specific

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information' reads on the claim 'a caller profile' and 'caller name' reads on the claim 'authenticated caller identity').

McAllister further teaches specifying the various services available to the subscriber on outgoing call according to the subscriber-specific information (col.6, lines 24-43, col.7, lines 18-32, 55-67, col.8, lines 1-10; 'subscriber-specific information' reads on the claim 'caller profile' and 'various services available to the subscriber on outgoing call' reads on the claim 'a selection of services from among a plurality of services that are offered for said call request').

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 34, 38 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over McAllister et al. (U.S. Patent No. 6,442,242) and in view of Kawahara et al. (U.S. Pub. No. 2002/0184096).

Regarding claims 34, 38 and 41, McAllister fails to teach "retrieving said caller profile from a systems management server". Kawahara teaches retrieving the user personal information from the user management server (page 13, paragraph 0239; 'user personal information' reads on the claim 'caller profile' and 'user management server' reads on the claim 'systems management server'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McAllister to allow retrieving the caller profile from the systems

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management server as taught by Kawahara. The motivation for the modification is to have doing so in order to provide various services as desired by the caller.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (703)305-4717. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

M.E.
MD SHAFIUL ALAM ELAHEE
October 3, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
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